

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Leia Fry,

Plaintiff,

v.

Case No. 17-10899

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

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ORDER ADOPTING 7/20/18 REPORT AND RECOMMENDATION

Plaintiff filed this action under 42 U.S.C. § 405(g), seeking judicial review of the Commissioner's denial of her application for social security disability insurance benefits. The Court referred the matter to Magistrate Judge Anthony P. Patti for a report and recommendation under 28 U.S.C. § 636(b)(1)(B) (Doc. # 3), after which Plaintiff filed a motion for remand and Defendant moved for summary judgment (Doc. # 14, 16).

On July 20, 2018, Magistrate Judge Patti issued a Report and Recommendation (Doc. # 18), wherein he recommends that the Court grant Plaintiff's motion for remand, deny Defendant's motion for summary judgment, reverse the Commissioner's decision, and remand this case to the Commissioner and the ALJ under Sentence Four of § 405(g).

Under FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections. The Court hereby ADOPTS the July 20, 2018 R&R.

IT IS FURTHER ORDERED that Plaintiff's Motion for Remand is GRANTED, Defendant's Motion for Summary Judgment is DENIED, the Commissioner's decision is REVERSED, and this case is REMANDED to the Commissioner and the ALJ under Sentence Four of § 405(g) for further consideration consistent with the R&R.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 8, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 8, 2018, by electronic and/or ordinary mail.

s/Jennifer McCoy

Case Manager